



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.       | CONFIRMATION NO.       |
|---|-------------|----------------------|---------------------------|------------------------|
| 10/761,012  | 01/20/2004  | Mike Hollatz         | 6065-90993                | 1662                   |
| 24628   | 7590        | 09/24/2007           |                           |                        |
| WELSH & KATZ, LTD<br>120 S RIVERSIDE PLAZA<br>22ND FLOOR<br>CHICAGO, IL 60606 |             |                      | EXAMINER<br>PARK, JEONG S |                        |
|   |             |                      | ART UNIT<br>2154          | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>09/24/2007   | DELIVERY MODE<br>PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

94

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/761,012 | <b>Applicant(s)</b><br>HOLLATZ, MIKE |  |
|                              | <b>Examiner</b><br>Jeong S. Park     | <b>Art Unit</b><br>2154              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :2/6/2006, 10/10/2006, 6/27/2005.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Reference character 12 for the SIP telephone in the specification page 5, paragraph [0018];

Reference character 20 for the proxy server in the specification, page 5, paragraph [0018]; and

Reference character 14 for the SIP telephone in the specification page 5, paragraph [0020].

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 6, 15 and 25 are objected to because of the following informalities:

In claim 6, line 4, the phrase "an identifier of the selected agent" should be corrected as --the identifier of the selected agent-- for clear understanding of the claim.

Similar correction should be made for claims 15 and 25.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 10-16 and 19-25 are rejected under 35 U.S.C. 102(b) as being anticipate by Wengrovitz (U.S. Patent Pub. No. 2002/0141404 A1).

Regarding claims 1 and 10, Wengrovitz teaches as follows:

a method of routing a SIP call within an automatic contact distributor, such method comprising the steps of (a system and method for efficient and accurate establishment of SIP sessions between calling and called end-points, see, e.g., abstract):

transferring control of the SIP call to a buffer server (calling end-point 50 in figure 2 initiates a call by transmitting a call initiation message to the server 56 in figure 2, see, e.g., page 3, paragraph [0032]);

setting up a call connection between an agent (called end-point 52 in figure 2) of the automatic call distributor and a client (calling end-point 50 in figure 2) of the automatic call distributor through the buffer server (proxy server 56a in figure

Art Unit: 2154

3)(establishing a SIP call, see, e.g., page 3, paragraph [0035] to paragraph [0038] and figure 3);

re-addressing SIP messages (OK response 38 in figure 1A) received by the buffer server (proxy SIP server 10 in figure 1A) from the agent (called end-point 20 in figure 1A) and forwarding the re-addressed SIP messages (OK response 40 in figure 1A) to the client (calling end-point 15 in figure 1A)(proxy server is re-addressing the OK response message received from the called end-point to the calling end-point, see, e.g., page 1, paragraph [0007]); and

re-addressing SIP messages (SIP INVITE) received from the client and forwarding the re-addressed SIP messages to the agent (location server 25 in figure 1A retrieves the SIP URL associated with the called end-point to resolve the URL to a more precise address, see, e.g., page 1, paragraph [0006] and the proxy sever 10 in figure 1A issues a second INVITE request with the more precise address to the called end-point, see, e.g., page 1, paragraph [0007]).

Regarding claims 2, 11 and 20, Wengrovitz teaches as follows:

receiving a SIP INVITE (see, e.g., page 1, paragraph [0004]) from the client (calling end-point 50 in figure 3) by the automatic contact distributor requesting a communication session (voice conversation 90 in figure 3) with an agent (called end-point 52 in figure 3) of the automatic contact distributor (establishing a SIP call, see, e.g., page 3, paragraph [0035] to paragraph [0038] and figure 3).

Regarding claims 3, 12 and 21, Wengrovitz teaches as follows:

determining a call type (caller's intent) from the SIP INVITE (SIP INVITE message includes caller information to be used by the server to route the call and the caller information relates to the caller's intent, see, e.g., page 3, paragraphs [0032] and [0036]).

Regarding claims 4, 13 and 22, Wengrovitz teaches as follows:

selecting the agent based upon the determined call type (caller information to be used by the server to route the call, see, e.g., page 3, paragraphs [0032]).

Regarding claims 5 and 14, Wengrovitz teaches as follows:

forwarding the SIP INVITE to the buffer server along with an identifier of the selected agent (the "To" field of the SIP INVITE message header includes a generic SIP URL associated with a called end-point, see, e.g., page 1, paragraph [0005]).

Regarding claims 6, 15 and 24, Wengrovitz teaches as follows:

entering the SIP INVITE into a routing table within the buffer server along with an identifier (SIP URL) of the selected agent (location server 25 in figure 1A retrieves the SIP URL associated with the called end-point to resolve the URL to a more precise address, see, e.g., page 1, paragraph [0006]), therefore the location server inherently includes a table to map between the SIP URL and the more precise address.

Regarding claims 7, 16 and 25, Wengrovitz teaches as follows:

appending the identifier (SIP URL) to a universal resource identifier (specific IP address) of the buffer server (location server 100 in figure 5) within the SIP INVITE (location server deduces the address using information in the location server and

Art Unit: 2154

database for ascertaining a most appropriate IP address, see, e.g., page 4, paragraph [0041]).

Regarding claim 19, Wengrovitz teaches as follows:

an apparatus for routing a SIP call within an automatic contact distributor, such apparatus comprising (a system and method for efficient and accurate establishment of SIP sessions between calling and called end-points, see, e.g., abstract):

a proxy server adapted to transfer control of the SIP call to a buffer server (calling end-point 50 in figure 2 initiates a call by transmitting a call initiation message to the server 56 in figure 2, see, e.g., page 3, paragraph [0032], wherein the server functions as both the proxy server and the buffer server);

a buffer server (server 56 in figure 2) adapted to set up a call connection between an agent (called end-point 52 in figure 2) of the automatic call distributor and a client (calling end-point 50 in figure 2) of the automatic call distributor (establishing a SIP call, see, e.g., page 3, paragraph [0035] to paragraph [0038] and figure 3); and

a connection processor adapted to re-addressing SIP messages (OK response 38 in figure 1A) received by the buffer server (proxy SIP server 10 in figure 1A) from the agent (called end-point 20 in figure 1A) and forwarding the re-addressed SIP messages (OK response 40 in figure 1A) to the client (calling end-point 15 in figure 1A)(proxy server is re-addressing the OK response message received from the called end-point to the calling end-point, see, e.g., page 1, paragraph [0007]) and to re-addressing SIP messages (SIP INVITE) received from the client and forwarding the re-addressed SIP messages to the agent (location server 25 in figure 1A retrieves the SIP URL associated



with the called end-point to resolve the URL to a more precise address, see, e.g., page 1, paragraph [0006] and the proxy sever 10 in figure 1A issues a second INVITE request with the more precise address to the called end-point, see, e.g., page 1, paragraph [0007]).

Regarding claim 23, Wengrovitz teaches as follows:

a routing table for re-addressing the SIP messages that are transferred between the agent and the client (location server 25 in figure 1A retrieves the SIP URL associated with the called end-point to resolve the URL to a more precise address, see, e.g., page 1, paragraph [0006]), therefore the location server inherently includes a routing table to map between the SIP URL and the more precise address.

Regarding claim 24, Wengrovitz teaches as follows:

the proxy server further comprises an Internet connection (Internet 54 in figure 2, see, e.g., page 3, paragraph [0031]) that allows the proxy server to forward the SIP INVITE to the buffer server along with an identifier of the selected agent (the "To" field of the SIP INVITE message header includes a generic SIP URL associated with a called end-point, see, e.g., page 1, paragraph [0005]).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wengrovitz (U.S. Patent Pub. No. 2002/0141404 A1) as applied to claims 1 and 5 above, and further in view of Strathmeyer et al. (hereinafter Strathmeyer)(U.S. Patent Pub. No. 2004/0120502 A1).

Regarding claims 8, 17 and 26, Wengrovitz teaches all the limitations of claim except for explicitly showing conversion from SIP protocol to instant message protocol.

Strathmeyer teaches as follows:

gateway (120 in figure 1) may receive a call setup request signal from a PSTN network and then generate and send a corresponding SIP INVITE message, which may request the setup of a corresponding packet telephony call (see, e.g., page 4, paragraph [0038]); and

gateway may provide protocol conversion or protocol interworking between any types of protocols (see, e.g., page 4, paragraph [0039]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Wengrovitz to include gateway functionality capable of protocol conversion between SIP protocol and instant message protocol as taught by Strathmeyer in order to widely utilize the automatic call routing method for any different networks environment.

7. Claims 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wengrovitz (U.S. Patent Pub. No. 2002/0141404 A1) as applied to claims 1 and 5 above, and further in view of Borella et al. (hereinafter Borella)(U.S. Patent No. 6,816,912 B1).

Regarding claims 9, 18 and 27, Wengrovitz teaches all the limitations of claim except for using tunneling protocol for communication between the client and the buffer server.

Borella teaches as follows:

a method and system for tunnel optimized call setup for mobile nodes (see, e.g., col. 2, line 61 to col. 3, line 13 and abstract).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Wengrovitz to include tunneling method and system for call setup as taught by Borella in order to optimize the call setup process between different networks.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeong S. Park whose telephone number is 571-270-1597. The examiner can normally be reached on Monday through Thursday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JP

September 12, 2007



**NATHAN FLYNN**  
**SUPERVISORY PATENT EXAMINER**